

07 CIV 7741

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
JEFFREY TOBIS,

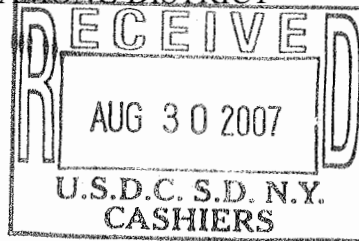
Plaintiff,

-against-

THE CITY OF NEW YORK, et al.,

Defendants.
-----X

STATEMENT OF RELATEDNESS
PURSUANT TO RULE 15 OF THE
RULES FOR THE DIVISION OF
BUSINESS AMONG DISTRICT
JUDGES



Now comes the plaintiff, JEFFREY TOBIS, by and through his counsel, BELDOCK
LEVINE & HOFFMAN, LLP and makes the following statement of relatedness pursuant to Rule
15 of the Rules for the Division of Business Among District Judges:

1. This case should be filed as related to *MacNamara, et al. v. The City of New York, et al.*, 04-CV-9216 (KMK)(JCF), one of literally dozens of cases arising from the arrests of protesters and individuals in the vicinity of protests during the 2004 Republican National Convention ("RNC") in New York City. These cases are currently consolidated for the purposes of discovery in front of United States Magistrate Judge James C. Francis, IV and for dispositive motions and trial before United States District Judge Kenneth M. Karas. This case raises substantially identical claims concerning the actions of defendants in preventing and/or interfering with the rights of plaintiff to engage in First Amendment protected activity at political demonstrations during the RNC. In particular, this case, as well as the currently consolidated cases, challenge the defendants' alleged policy of using indiscriminate mass arrests without probable cause and excessive and unreasonable detentions, not in furtherance of legitimate law enforcement ends, but rather as a means of preventing, diminishing and/or punishing lawful

political speech and assembly.

2. Permitting this case to be filed as related to *MacNamara*, as well as the other consolidated RNC cases, will promote a substantial savings in judicial resources. If relatedness is denied, two judges of this district will be asked to preside over cases which allege factually and legally virtually identical claims. Permitting this case to be filed as related to *MacNamara* will eliminate the possibility of having two judges of this district preside over claims challenging the same policies.

Dated: August 30, 2007
New York, New York



JONATHAN C. MOORE (JM 6902)
CLARE NORINS (CN 2821)

Beldock Levine & Hoffman LLP
99 Park Avenue, Suite 1600
New York, New York 10016
(212) 490-0400

Attorneys for the Plaintiff